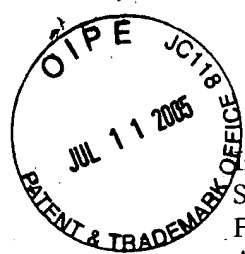


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Theodore Crofford
Serial No.: 10/779,353
Filed: February 14, 2004
Attorney Docket No.: 022266.0102N1US
For: FEMORAL NECK FIXATION PROSTHESIS

Group Art Unit: 3732
Examiner: Reimers, Annette R.

INFORMATION DISCLOSURE STATEMENT

- ☒ Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO/SB/08A. The cited references are believed to be the most relevant known to Applicant(s) and/or Assignee at this time concerning the invention as claimed in the above-captioned patent application. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence.

Applicant(s) respectfully request(s) that each of the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

- ☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. 37 C.F.R. §1.97(d).
- ☐ a. I hereby certify that some items of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1). Thus, it is believed that no fee is required.
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2). Thus, it is believed that no fee is required.

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180.00 DP

- ☒ c. In payment of the fee under 37 C.F.R. § 1.17(p).
- ☒ i. Attached is a check for the amount of \$180.00.
- ☐ ii. Please charge Deposit Account No. for the amount of \$180.00.

Please credit or debit Deposit Account No. 50-2816 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Action or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. For payment of the petition fee (37 C.F.R. §1.17(p)):

- ☐ i. Attached is a check for the amount of \$130.00.
- ☐ ii. Please charge Deposit account No. for the amount of \$130.00.
- ☐ Please credit or debit Deposit Account No. as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).


- ☐ 4. The reference(s) was/were cited in a counterpart foreign application. For the Examiner's information, a concise explanation of the relevance, as it is presently understood by the individual designated in Section 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language, is attached hereto.

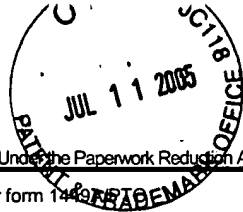
- ☐ 5. It is believed that no fees are due. However, if necessary please charge deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-2816.

Respectfully submitted,
PATTON BOGGS, LLP

Date: July 6, 2005

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Substitute for form 1349, PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/779,353
Filing Date	February 14, 2004
First Named Inventor	Theodore W. Crofford
Art Unit	3732
Examiner Name	Reimers, Annette R.
Attorney Docket Number	022266.0102N1US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	A-1	US-6,770,100 B2	04-18-2002	Draenert	
	A-2	US- 6,616,697 B2	09-19-2002	Sotereanos	
	A-3	US- 6,379,390 B1	04-30-2002	Advani et al.	
	A-4	US- 6,273,915 B1	08-14-2001	Grimes	
	A-5	US- 5,980,575	11-09-1999	Albrektsson et al.	
	A-6	US- 5,741,262	04-21-1998	Albrektsson et al.	
	A-7	US- 5,571,203	11-05-1996	Masini	
	A-8	US- 5,376,125	12-27-1994	Winkler	
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	A-10	US- 5,133,760	07-28-1992	Petersen et al.	
	A-11	US- 5,147,403	09-15-1992	Gitelis	
	A-12	US- 5,035,717	07-30-1991	Brooks	
	A-13	US- 4,976,740	12-11-1990	Kleiner	
	A-14	US- 4,795,473	01-03-1989	Grimes	
	A-15	US- 4,224,699	09-30-1980	Weber	
	A-16	US- 4,129,903	12-19-1978	Huggler	
	A-17	US- 6,383,227 B1	05-07-2002	Baroud et al.	
	A-18	US- 5,800,553	09-01-1998	Albrektsson et al.	
	A-19	US- 6,284,002	09-04-2001	Sotereanos	
		US-			

FOREIGN PATENT DOCUMENTS

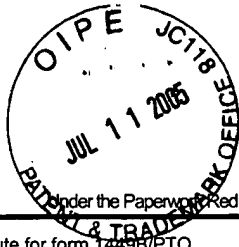
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	B-1	PCT International Search Report	07-30-2003	Crofford		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

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Art Unit	3732
Examiner Name	Reimers, Annette R.
Attorney Docket Number	022266.0102N1US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C-1	HARLAN C. AMSTUTZ, MD and PETER GRIGORIS, MD, PhD; Metal on Metal Bearings in Hip Arthroplasty; Clinical Orthopaedics and Related Research, 1996, Number 329S; pp. S11-S34.	
	C-2	A.H. HUGGLER, and H.A.C. JACOB (Eds.); The Thrust Plate Hip Prosthesis; Springer-Verlag Berlin Heidelberg 1997; 3 pages submitted;	
	C-3	TOMAS ALBREKTSSON, MD, PhD, LARS V. CARLSSON, MD, PhD, MAGNUS JACOBSSON, MD, PhD, and WARREN MACDONALD, CEng, MPhil; Clinical Orthopaedics and Related Research, 1998, Number 352; pp. 81-94.	
	C-4	PROF. DR. A.H. HUGGLER and DR. ING. H.A.C. JACOB; The Thrust Plate Process; All Pro; January 1993, 16 pages.	
	C-5	H. BEREITER, A.H. HUGGLER, H.A.C. JACOB, and P. SEEMANN; The Thrust Plate Prosthesis (TPP) A New Concept in Hip Prosthesis Design Eight Years of Clinical Experience; Orthop Rel. Sci. 2, Date Unknown; pp. 191-202.	
	C-6	A.H. HUGGLER and H.A.C. JACOB; The Uncemented Thrust-Plate Hip Prosthesis; Date Unknown; pp. 125-129.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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